

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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KHARY SHERRIF ARRINGTON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. 17-2638 (PGS)

**MEMORANDUM ORDER**

Petitioner Khary Sherrif Arrington has filed a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, attacking a sentence imposed by this Court in *United States v. Arrington*, No. 14-cr-0104, ECF No. 23 (D.N.J. entered July 22, 2014). The Court dismissed the motion with prejudice. ECF No. 3. Presently before the Court is a request for extension from Petitioner, seeking an extension to respond to the Court's decision.

In his request, Petitioner refers to a 28-day deadline to respond. *Id.* at 1. It appears that Petitioner is referring to the deadline to file a Rule 59(e) motion under the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 59(e) ("A motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment."). However, this Court does not have the authority to grant any extension with regard to a Rule 59(e) motion. *See* Fed. R. Civ. P. 6(b)(2) ("A court must not extend the time to act under Rules 50(b) and (d), 52(b), 59(b), (d), and (e), and 60(b)."). As such, the request must be denied.

IT IS therefore on this 24<sup>th</sup> day of August, 2017,

**ORDERED** that Petitioner's request for an extension, ECF No. 3, is hereby **DENIED**; and it is further

**ORDERED** that that the Clerk shall serve a copy of this Order upon Petitioner.

A handwritten signature in cursive script, reading "Peter G. Sheridan", positioned above a horizontal line.

Peter G. Sheridan  
United States District Judge